

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

FRANK EUGENE BURTON,)	
)	
Plaintiff,)	
vs.)	No. 1:06-cv-222-JDT-WTL
)	
NOAH MCINTOSH, JR., et al.,)	
)	
Defendants.)	

Entry Concerning Selected Matters

The court, having considered the above action and the matters which are pending, makes the following rulings:

1. The plaintiff's request to proceed *in forma pauperis* is **denied**. The reason for this ruling is that he has sufficient financial means from which to pay the \$250.00 filing fee for this action. He shall have **through March 6, 2006**, in which to do so.
2. The plaintiff shall also have **through March 6, 2006**, in which to **show cause** why the action should not be summarily be dismissed for lack of subject matter jurisdiction, because there is no "state action" alleged in the complaint such as would be required to support a viable claim pursuant to 42 U.S.C. § 1983 and because there is no other discernible basis for the exercise of this court's limited jurisdiction over the controversy identified in the complaint.

IT IS SO ORDERED.



John Daniel Tinder, Judge
United States District Court

Date: 02/14/2006

Copies to:

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